IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Conf. No.: 1803

Applicants: John Riley Hawkins, et al.

Application No.: 10/813.899

Filed: March 31, 2004 Group Art Unit: 3738

Entitled: METHOD AND APPARATUS FOR

Examiner: David A. Izquierdo ARTIFICIAL DISC INSERTION

Docket No : 101896-662 (DEP5055)

Certificate of Mailing

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system (EFS-Web) in accordance with § 1.6(a)(4).

Dated: February 21, 2008 (Rory P. Pheiffer)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

This communication is in response to the Office Action mailed on December 3, 2007.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.